

Appl. No. 10/629,137
Amdt. dated December 20, 2006
Reply to Office Action of October 3, 2006

Docket No. A01181

REMARKS/ARGUMENTS**RECEIVED
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Claims 1,2, and 4-8 remain in this application. Claims 3 is canceled, without prejudice.

Amendments: Lack of New Matter

Applicant submits that the forgoing claim amendments do not introduce new matter into the present application.

In claim 1, the polyelectrolytes (PELs) recited are all anionic. The specific embodiment of anionic PELs is disclosed in the present specification, for example on p. 33, line 11. Additionally, the present specification presents three separate discussions of three separate types of PELs: anionic (p. 32, line 29 to p. 33, line 9); cationic (p. 34, line 24 to p. 35, line 10); and amphoteric (p. 37, line 28 to p. 39, line 29). Thus, Applicants submit that the class of anionic PELs as an embodiment is fully disclosed.

Response to rejection of claims 1,2, and 4-8 as indefinite

In the above-identified Office Action the Examiner rejected claims 1, 2, and 4-8 under 35 USC §112, second paragraph, as being indefinite. The Examiner stated that the term "derivatives" rendered the claim indefinite.

Currently amended claim 1 does not use the term indefinite. Applicants submit that currently amended claims 1, 2, and 4-8 are definite.

Response to rejection of claims 1,2, and 4-8 over Gassenmeier

In the above-identified Office Action the Examiner rejected claims 1,2, and 4-8 under 35 USC §103(a) as being obvious over US 2001/00317144 (Gassenmeier).

As set forth in a previous paper (May 8, 2006), Applicants submit that Gassenmeier's teachings are limited to basic polymers that act as switches for laundry, cleaning, or dishwashing compositions and that Gassenmeier makes no suggestion that any non-basic polymer could be used as the switch in his compositions.

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In contrast, in the triggered response barrier compositions recited in present claim 1, the polyelectrolyte is selected from anionic polymers. Thus, the polymers recited in present claim 1 are all polymers other than basic polymers. Consequently Applicants submit that the compositions recited in present claim 1 are not disclosed or suggested by Gassenmeier. Therefore, Applicants submit that present claim 1 and claims 2 and 4-8, which are dependent (directly or indirectly) on claim 1, are not obvious over Gassenmeier.

Response to rejection of claims 1,2, and 4-8 over JP 96166/95

In the above-identified Office Action the Examiner rejected claims 1,2, and 4-8 under 35 USC §103(a) as being obvious over JP 96166/95.

The pH sensitive resins disclosed by JP 96166/95 are limited to polysaccharides and polyacrylates. The polyelectrolytes recited in currently amended claim 1 do not include polysaccharides or polyacrylates. Thus, the compositions recited in currently amended claim 1 are not taught or disclosed by JP 96166/95. Therefore, Applicants submit that currently amended claim 1 is not obvious over JP 96166/95. Similarly, present claims 2 and 4-8 are likewise not obvious over JP 96166/95 because they are dependent on currently amended claim 1.

Response to rejection of claims 1,2, and 4-8 over Bader

In the above-identified Office Action the Examiner rejected claims 1,2, and 4-8 under 35 USC §102(b) as anticipated by US 5,100,673 (Bader).

Additionally, the Examiner listed Bader in paragraph 8 under the heading of obviousness.

Bader discloses membrane that contains a polyacid and a polybase (col. 2, line 56). The only polyacid taught or suggested by Bader is polysaccharides (col. 3, line 59).

The polyelectrolytes recited in currently amended claim 1 are neither polysaccharides nor polybases. Therefore, the polyelectrolytes recited in currently amended claim 1 are neither taught nor suggested by Bader.

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Additionally, Applicants note that the benefit of the present invention is triggered release, which is a sudden release of active ingredient that is triggered by a change in the composition's environment. The phenomenon described by Bader is controlled release, which is gradual release of active ingredient under constant conditions. A person of ordinary skill in the art would not consider that Bader's teachings regarding controlled release would be applicable to the design of a triggered release composition.

Therefore, Applicants submit that currently amended claim 1 is novel and non-obvious over Bader. Additionally, Applicants submit that claims 2 and 4-8, which are dependent on currently amended claim 1, are likewise novel and non-obvious over Bader.

Conclusion

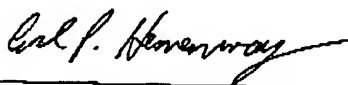
In view of the foregoing amendments and arguments, Applicants respectfully request the Examiner to enter the amendments, to reexamine the claimed subject matter, to withdraw the rejections of the claimed subject matter, and to allow claims 1, 2, and 4-8 at this time. If, however, there remain any open issues which the Examiner believes can be resolved by a telephone call, the Examiner is cordially invited to contact the undersigned agent.

No fees are believed to be due in connection with the submission of this amendment; however, if any such fees, including petition or extension fees, are due, the Commissioner is hereby authorized to charge them, as well as to credit any overpayments, to Deposit Account No. 18-1850.

Respectfully Submitted,

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